

Barbara Seeley
11900 W. Woodland Drive
Cadillac, MI 49601

Committee on Judiciary
c/o Anderson House Office Building
124 North Capitol Avenue
P.O. Box 30014
Lansing, MI 48909-7514

RE: Opposition to HB 4354 (2013)

Dear Representatives:

My name is Barbara Seeley. I work for the Department of Human Services. I am here today to share my experience regarding the death of my sister, Annie Mullins.

Annie died shortly after giving birth to her daughter, Mary. She essentially bled to death due to lapses in medical judgment by her doctors. Annie developed a condition called preeclampsia when she was 26 weeks pregnant. She was hospitalized and transferred to Grand Rapids; where the doctor misjudged what was happening to Annie and they sent her home too soon. One week later she went into premature labor and went to the emergency room in full fledged labor.

After the baby was born Annie continued to bleed. Hospital staff misjudged the amount of her blood loss and after several hours took her to the operating room. However it was too little, too late. The Ob/Gyn had to be paged back to the hospital several times because he had misjudged her condition until she was critically ill.

On the way to OR Annie asked to see her daughter. Annie never got to hold her or see how beautiful she is. Anna died on operating table from massive blood loss. Had the doctor or nurses given her blood I probably would not be here today.

We brought a case against the hospital and doctors that so misjudged her care. The main reason for bringing suit was for Annie's daughter Mary. All the things that Annie would have done for Mary now have to be done by someone else. Mary's father is disabled and he can't do everything that is required in raising a child.

I understand the Bill that you are considering today would mean that families like ours would have no case and that if the physician was not acting with gross negligence proven by clear and convincing evidence the case would be dismissed. This is an unnecessary and improvable standard that would result in doctors getting a free pass when they don't do their jobs and injure patients as a result.

It cost more than \$100,000.00 just to litigate our case. If it wasn't for the recovery that the civil justice system allowed, there are many things that Mary would be doing without right now. Mary has already lost her mother and without that recovery she would also have lost her quality of life and everything needed to raise a child. That is just not right.

Yes, we did make a recovery; but nobody got rich. The money went to benefit Mary; to meet her needs, to make sure she gets a good education and to replace the services needed to raise a child. A portion of the recovery also was paid back to the State of Michigan to reimburse the State for Medicaid expenses.

I do not understand how preventing cases like ours would somehow "protect patients" or make for better patient care or safety. It would mean the doctors would not be held accountable for the decisions that they make and actions that they take.

It is an un-describable pain losing a family member; especially at a time when we should have been celebrating a new life. Instead we were forced to have to about plan for my sister's funeral. I would love to have the doctors answer the question that Mary has asked me many times; "I miss my mommy, why doesn't she come visit me?" I urge you to re-read my testimony and think about Mary being raised without her mother before you vote on whether or not to pass this Bill.

Barbara Seeley 
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